

**FILED**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA**

AUG 18 1999

KEVIN E. O'BRIEN, CLERK  
UNITED STATES  
BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

In Re:

BCE WEST, L.P., et al.,

Debtors,

EID: 38-319719

§  
§  
§  
§  
§  
§  
§  
§

Chapter 11

Cases No. 98-12547 through  
98-12570PHXCGC

Jointly Administered  
(Florence H. Grillo)

**ORDER GRANTING RELIEF FROM AUTOMATIC STAY**

COME NOW, for consideration of the Motion to Lift Automatic Stay (hereinafter "Motion") filed by Florence H. Grillo as defined in the Motion. The Court finds that proper notice of the Motion has been given, and after considering the pleadings, evidence and agreement of counsel, it is therefore

**ORDERED** that the automatic stay, in effect as a result of Section 362(a) of the Bankruptcy Code, is terminated for the sole purpose of Florence H. Grillo, plaintiff (hereinafter "plaintiff"), in the personal injury lawsuit Florence H. Grillo v. Midlantic Restaurant Systems, Inc., Court of Common Pleas, Pennsylvania, Philadelphia County, January Term 19998, No. 1037 (hereinafter "lawsuit") proceed with the lawsuit to the extent of the liability coverage provided by the liability insurance policy which was in effect at the time of the incident. It is further

**ORDERED** that any and all relief, judgment or verdict against any of the debtors in these Chapter 11 cases shall be satisfied from insurance proceeds only. Any and all remaining claims

1045

up to A.H.  
8-19-99

against Debtors not covered by liability insurance shall not be allowed in these Chapter 11 cases and are dismissed with prejudiced.

BY THE COURT:

Date: August 18, 1999

Charles G. Case, II  
CHARLES G. CASE, II  
United States Bankruptcy Judge

AGREED AS TO FORM AND CONSENT:

Debtors and debtors in possession by:

BY: H. Rey Stroube, III

AKIN, GUMP, STRAUSS, HAUER  
& FELD, L.L.P.

H. Rey Stroube, III, Esquire  
S. Margie Venus, Esquire  
1900 Pensoil Place - South Tower  
711 Louisiana, Suite 1900  
Houston, Texas 77002  
(713)220-5800

and

LEWIS & ROCA, L.L.P.  
Randolph I Haines, Esquire  
40 North Central Avenue  
Phoenix, AZ 85004-4429  
(602)262-5764

BY: Glen H. Ridenour, II

MARGOLIS EDELSTEIN  
Glen H. Ridenour, II, Esquire  
Richard J. Margolis, Esquire  
The Curtis Center, Fourth Floor  
Independence Square West  
Philadelphia, PA 19106-3304  
(215) 922-1100